

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCTOBER 31, 1989

David E. Wood
National Syringe Disposal
165 South Jersey
P.O. Box 22006
Denver, CO 80224

Dear Mr. Wood:

Thank you for your June 1, letter and the enclosed sample showing the results of your syringe disposal system. In your letter, you had asked whether the waste "puck", consisting of the residue from your syringe disposal system, remains subject to the requirements of the Medical Waste Tracking Act.

The Federal regulations in 40 CFR Part 259 apply only to regulated medical waste that is generated in a "covered state". These regulations do not prohibit handlers of regulated medical waste from subjecting that waste to various processes or combinations of processes for treatment and destruction. If waste is "treated and destroyed", i.e., it has been both "treated to substantially reduce its potential for causing disease" and "ruined, torn apart, or mutilated through processes such as thermal treatment, melting, shredding, grinding, tearing, or breaking, so that it is no longer generally recognizable as medical waste," it is no longer subject to the regulations at 40 CFR Part 259. This exclusion, found in Section 259.30(b)(1)(iv), applies to wastes at the point in the waste management chain where the waste has been both treated and destroyed.

Based on the sample that you enclosed, it appears that your system is capable of destroying a specific type of regulated medical wastes, specifically syringes and attached needles. The system might also be capable of treating regulated medical waste to "substantially reduce or eliminate its potential for causing disease". However, the limited documentation you have provided to demonstrate this system's abilities to treat medical waste does not appear to be sufficient for us to conclude that the waste has been "treated to substantially reduce or eliminate its potential for causing disease".

While your system is capable of reducing the risk of needle injury, adequate testing has not been performed to ensure that blood-borne pathogens which are more heat resistant can be adequately treated using your system. For example, the tests performed by Dr. Siddiqui, at the University of Colorado Health Sciences Center, only addressed the inactivation of Hepatitis B virus.

Additionally, only a very small number of tests have been performed using only one Syringe Disposal System. Variations in the performance of different units may result in different levels of

inactivation consistency. Therefore, the data you have submitted for our review does not appear to be sufficient to verify that this system can treat this type of medical waste to substantially reduce or eliminate its potential for causing disease.

If you have further questions, please contact Mary Greene of my staff at (202)475-8551.

Sincerely,

Devereaux Barnes, Director
Characterization and
Assessment Division

GSR Chemical Services, Inc.
PO Box 210799
121 Executive Center Drive
Congaree Building, Suite 10C
Columbia, SC 29221
(803) 798-2993

October 20, 1988

Mr. Robert Dellinger
US Environmental Protection Agency
401 M Street, SW
Washington, DC 20460
05-332

Dear Mr. Dellinger:

This is to confirm our October 19, 1988 telephone conversation concerning the waste listing of used commercial chemical products. Specifically, "U" listed wastes are those waste generated by the manufacturer of that chemical or a manufacturer of a product which contains that chemical. As an example, a thermometer manufacturer who contaminates this mercury prior to putting it in his product would manifest that contaminated mercury as U151.

On the other hand, a person who uses a thermometer, breaks it, and collects the mercury and glassware would manifest his waste as D009 since it is spent EP toxic material. This same determination could be made from similar products such as mercury-containing batteries and switches.

If the Agency should disagree with the above determination please let me know as soon as possible at (803) 798-2993.

Sincerely yours,

Donald E. Stone
Manager, Environmental Compliance

cc:	E. Lin Longshore	Bill Hallam
	Bob Caldwell	Dave Sprinkle
	Roger Davis	Jackie Noles

FaxBack # 11478

Mona Bartoletti

Dan Allen